

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

MICHAEL KEVIN DUPONT, \*  
PETITIONER \*

v. \*

No. 04-11431-GAO

DAVID NOLAN, \*  
RESPONDENT \*

\*\*\*\*\*

PETITIONER'S DECISIONAL SUPPORT FOR  
SUMMARILY DENYING THE MOTION TO DISMISS

For Judge O'Toole's convenience  
the petitioner files copies of main state  
decisions holding MGL c. 248 § 1, 25 ALBENS  
CORPUS ARE PROPER STATE AVENUES OF LITIGATION  
FOR EXHAUSTING his PETITION grounds. And the  
MAIN FEDERAL DECISIONS supporting his opposition:

- 1) AVEREN, PETITIONER 533 NE2d 1023 (1989).
- 2) PETITION OF O'LEARY 89 NE2d 169 (1950).
- 3) LYNCH, PETITIONER 389 NE2d 91 (1979).
- 4) RODRIGUEZ V SUPERINTENDENT 510 NE2d 286 (1987).
- 5) SMITH V DIMON 434 US 332 (1978).
- 6) RUSSELL V ROLFS 893 F2d 1033 (1990) 7th CIR.
- 7) IN RE LIGHTFOOT 917 F2d 914 (7th CIR 2000).

Respondent did not specifically  
CRITICIZE 01-A-1792 brief Federalization  
OF ALL grounds now challenged OR 02-A-20  
brief Federalization AND the pages set  
out AT BEGINNING of each Petition Ground  
STATEMENTS OF SUPPORTING FACTS ARE THE SAME  
AS AJOFAA No. 113845 Attached to opposition,  
which is a copy of Dupont V Commissioner 01-A-1792  
brief. PETITIONER shall file specific REFERENCES  
VERIFYING FEDERALIZING ALL challenged grounds  
by next week AND AVERES UNDER PENALTY OF PERJURY he exhausted state remedies  
by properly presenting all his federal grounds to  
STATE COURTS.

Michael Kevin Dupont  
Michael Kevin Dupont Prose

August 24, 2004 copy served on ASS AG SSMAN REASON OF THIS PLEADING